



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/213,846 12/17/98 MORGAN

S AT9-98-341

EXAMINER

WM02/0702

RICHARD A HENKLER
11400 BURNET ROAD
AUSTIN TX 78758

OPSASNICK, M

ART UNIT

PAPER NUMBER

2645

DATE MAILED:

07/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/213,846

Applicant(s)
Morgan et al

Examiner
Michael N. Opsasnick

Art Unit
2645



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 17, 1998
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 20) ☐ Other: _____

Art Unit: 2645

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldhor et al (5231670).

As per claims 1,4,7, Goldhor et al (5231670) teaches means for predetermining a plurality of speech commands for system actions (col. 2 lines 40-55), means for detecting speech commands (as speech commands, col. 9 lines 21-29), means responsive to a detected speech command for displaying said command for a predetermined time (as displaying selected list of commands -- col. 5 lines 40-55), speech command means for stopping the system action designated by said displayed command (as null dictation event being specified -- col. 5 lines 35-39), means for executing the system action designated by said displayed command in the event that said system action is not stopped during said predetermined time period (as automatic execution of the dictation event via a dictation event handler -- col. 5 lines 17-30).

Art Unit: 2645

As per claims 2,5,8, Goldhor et al (5231670) teaches speech command mean for executing the system action designated by said displayed command prior to the expiration of said time period (as allowing user to intervene at any time to specify a dictation event -- col. 5 lines 34-36).

As per claim 3,6,9, Goldhor et al (5231670) teaches wherein speech command means for executing said system action prior to said time period expiration is responsive to a repetition of the detected speech command (as allowing user to intervene at any time to specify a dictation event, which can be a repeat of the event -- col. 5 lines 329-39).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gould (6073097) teaches a speech recognition system

Van Kleeck et al (5890122) teaches a voice controlled computer system

Roberts et al (5027406) teaches an interactive speech recognition system.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Art Unit: 2645

or faxed to:

(703) 308-6306

Or:

(703) 308-6296

For informal or draft communications, please label "PROPOSED" or "DRAFT" on the front page of the communication, and do NOT sign the communication.

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Fan Tsang, can be reached at (703)305-4895. The facsimile phone number for this group is (703)308-6306.

Any inquiry of a general nature or relating to the status of this applications should be directed to the Group receptionist whose telephone number is (703)305-3900.

June 25, 2001
mno

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

